

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Quinn Tang *et al.*  
Application No. : 10/588,602 Confirmation No. : 7130  
Filed : August 7, 2006  
For : RNAi THERAPEUTICS FOR TREATMENT OF EYE  
NEOVASCULARIZATION DISEASES  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned

New York, New York  
June 13, 2007

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION  
OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

This responds to an April 13, 2007 Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (hereinafter “Notification”) in the above-identified application. The response is timely filed.

The Notification states that an oath or declaration of the inventor, in compliance with 37 C.F.R. § 1.497(a) and (b), must be furnished in order to complete the requirements for acceptance under 35 U.S.C. § 371. Accordingly, applicants enclose herewith a Declaration and Power of Attorney executed by the inventors.

The Notification also states that the application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825 and must provide (1) an initial computer readable form (CRF) copy of the Sequence Listing; (2) an initial paper copy of the Sequence Listing; (3) an amendment directing its entry into the application; and (4) a statement under 37 C.F.R. §§ 1.821(f) and 1.821(g). Applicants enclose herewith all of the required items.

Finally, the Notification states that additional claim fees of \$1350 as a non-small entity must be submitted to complete the requirements for acceptance under 35 U.S.C. 371. Applicants enclose herewith an assertion of small entity status under 37 C.F.R. § 1.27(a). Accordingly, patentees are entitled to payment of reduced fees under 37 C.F.R. § 1.27(b). The Director is hereby authorized to charge \$800 in payment for the additional fees to Deposit Account No. 06-1075 (Order No. 104825-0019). A duplicate copy of this paper is submitted herewith.

Respectfully submitted,

*Jane T. Gunnison*  
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Jane T. Gunnison (Reg. No. 38,479)  
Attorney for Applicants

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ROPES & GRAY LLP  
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$800)

### Complete If Known

Application Number	10/588,602
Filing Date	August 7, 2006
First Named Inventor	Quinn Tang
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	INTM/019 (39387-026 US NAT'L)

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 06-1075 (104825-0019) Deposit Account Name: Fish & Neave IP Group of Ropes & Gray LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

Small Entity

Fee (\$) Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims
47	- 20 or HP = 27	x 25	= 675	Fee (\$) Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

06/18/2007 GFREY1 00000122 061075 10580602

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims
2	- 3 or HP =	x	= 0	Fee (\$) Fee Paid (\$)

01 FC:2615 675.00 DA

02 FC:2681 125.00 DA

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
128	- 100 = 28	/50= 1 (round up to a whole number)	x 125	= 125

Fee Paid (\$)

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

### SUBMITTED BY

Signature	Jane T. Gunnison	Registration No. 38,479 (Attorney/Agent)	Telephone (212) 596-9000
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Name (Print/Type) Jane T. Gunnison Date June 13, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

**12**

Application Number

10/588,602

Filing Date

August 7, 2006

First Named Inventor

Quinn Tang

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Total Number of Pages in This Submission

**12**

Examiner Name

INTM/019 (39387-026 US NAT'L)

## ENCLOSURES (Check all that apply)

- Fee Transmittal Form (in duplicate)
  - Fee Attached
- Preliminary Amendment
- Assertion of Small Entity Status under 37 C.F.R. § 1.27(c)(1)
- Supplemental Application Data Sheet
- Declaration (executed)
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/Incomplete Application
  - Response to Notification of Missing Requirements under 35 U.S.C. §371

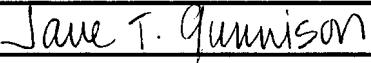
- Sequence Listing (Computer readable diskette)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
  - Landscape Table on CD

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
  1. Statement under 37 CFR §§ 1.821(f) and (g);
  2. Paper copy of Sequence Listing (61 pages);
  3. Request for Change of Attorney Docket Number (in duplicate);
  4. Copy of Notification of Missing Requirements; and
  5. Postcard.

### Remarks

The Director is hereby authorized to charge any fee due, or to credit any overpayment, in connection with this submission to Deposit Account No. 06-1075, Order No. 104825-0019. A duplicate copy of this Transmittal is enclosed herewith.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fish & Neave IP Group of Ropes & Gray LLP		
Signature			
Printed name	Jane T. Gunnison		
Date	June 13, 2007	Reg. No.	38,479

## CERTIFICATE OF EXPRESS MAIL TRANSMISSION – Express Mail No.: EM016026941US

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Signature			
Typed or printed name	ROSE MARIE DHANRAJ		
	Date	June 13, 2007	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,602	Quinn Tang	39387-026 US NAT'L
INTERNATIONAL APPLICATION NO.		
PCT/US05/03857		
I.A. FILING DATE	PRIORITY DATE	
02/07/2005	02/05/2004	
<b>CONFIRMATION NO. 7130</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000023372899*		

Date Mailed: 04/13/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/07/2006
- Copy of the International Search Report filed on 08/07/2006
- Copy of IPE Report filed on 08/07/2006
- Copy of Annexes to the IPER filed on 08/07/2006
- Preliminary Amendments filed on 08/07/2006
- U.S. Basic National Fees filed on 08/07/2006
- Priority Documents filed on 08/07/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1350** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$1350** for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is \$ 1350
  - \$1350 for 27 total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,602	PCT/US05/03857	39387-026 US NAT'L

FORM PCT/DO/EO/905 (371 Formalities Notice)